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Assembly Committee on Elections and Campaign Reform

Assembly Bill 28

Good morning, Chairman Tauchen and committee members. Thank you for the opportunity to testify today in support of Assembly Bill 28, which relates to the reporting of information by nonresident registrants under the campaign finance law.

Under current law, in-state committees that influence elections in the State of Wisconsin must file campaign finance reports with the Government Accountability Board. However, committees that are not based in Wisconsin are not obligated to list contributions from residents of other states, even if those contributions are used to influence Wisconsin elections. These out-of-state committees are currently only required to identify contributions, transfers, loans, and other income received from Wisconsin sources.

Assembly Bill 28, which is a redraft of 2009 Assembly Bill 104, deletes the current exemption for out-of-state committees and requires them to comply with the same campaign finance reporting requirements as committees that are headquartered in Wisconsin.

As we have seen in previous elections, many committees contribute to the outcome of our state elections. We need to make sure that anyone who contributes money to a committee, whether in-state or out-of-state, is properly identified to the Government Accountability Board. This bill is a big step in the right direction in making sure that all committees that attempt to determine the outcome of Wisconsin elections are on a level playing field.

I am happy to say that Assembly Bill 28 enjoys support from legislators on both sides of the aisle. During the 2009 legislative session, this committee supported Assembly Bill 104 unanimously, and the Assembly as a whole passed it on a voice vote. I strongly hope that Assembly Bill 28 will receive the same support going forward.

I have often said that even if Assembly Bill 28 is the only bill of mine that is signed into law this session, I will be satisfied.

In closing, I would like to thank Chairman Tauchen for scheduling this hearing. I thank all of you for your time today, and I would appreciate your support when Assembly Bill 28 comes up for a vote in this committee.



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**Wisconsin Democracy Campaign testimony to Assembly Committee on Election and
Campaign Reform regarding Assembly Bill 28**

June 9, 2011

The Democracy Campaign strongly supports Assembly Bill 28, which requires out-of-state political committees to play by the same disclosure rules as in-state committees. This measure was passed by the Legislature and signed into law by Governor Doyle as 2005 Wisconsin Act 176, but it was not incorporated into the state statutes under peculiar circumstances and now must be reenacted.

A year after this law was made it was unmade, wiped off the books by an administrative decision by the state Revisor of Statutes. We were told by legislative attorneys at the time that this happened because on the same day Act 176 became law, another bill – Assembly Bill 428 – was enacted as 2005 Wisconsin Act 177. That bill's purpose was to cleanse state law of the provisions of a campaign finance reform measure laced with a poison pill that was enacted in 2002 as part of a budget repair bill but was later struck down in court because the judge found the poison pill unconstitutional as was expected.

The lawyers responsible for maintaining order in the state statutes decided that Act 177 trumped Act 176, even though Act 176 reflected the will of the Legislature expressed in 2006 and Act 177 merely cleaned up a mess created by the Legislature nearly four years earlier – a mess, by the way, that had nothing to do with making out-of-state donations more transparent.

We supported the proposal when it was reintroduced in 2007 as Senate Bill 160 but it received only senate committee consideration and support, and again in 2009 where it received only assembly committee support.

We urge you to reenact this disclosure legislation.